

IN RE: PETITION FOR SPECIAL HEARING
E/S William Avenue & S/S of
Ensign Court
Ebbing Court
15th Election District
5th Councilmanic District
Marine Oaks, Phase II, Home-
owners Assn., Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-63-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property known as Phase II of the residential subdivision of Marine Oaks Village, located near Hopkins Creek in eastern Baltimore County. The Petition was filed by Pamela Hengemihle, Pier Committee Chairperson, on behalf of the Marine Oaks Phase II Homeowners Association, property owner. Relief is requested to approve an amendment to the Final Development Plan (FDP); being the 7th Amended Final Development Plan (FDP) to approve three private piers which abut open space owned by the community association and extend into Hopkins Creek. The subject property and requested relief are more particularly shown on the 7th Amended FDP, received as Petitioner's Exhibit No. 1.

Appearing on behalf of the Petitioner was Pamela Hengemihle, the aforementioned Chairperson of the Pier Committee for the Marine Oaks Phase II Homeowners Association. Also present was Bruce Doak, the surveyor who prepared the 7th Amended FDP. The Petitioner was represented by Deborah C. Dopkin, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject parcel is a 44 unit waterfront townhouse community located on Hopkins Creek in eastern Baltimore County. The subject property is part of a larger residential subdivision collectively known as Marine Oaks Village.

ORDER RECORDED FOR FILING

Date

By

10/30/98
[Signature]

The community at large has been fully built out. The original final development plan for Phase II was approved in the arly 1970s. There have been 6 approved amendments to that FDP since that time.

Apparently, some years ago, three individual property owners within the community constructed their own piers extending into Hopkins Creek. The piers are more particularly shown on the site plan and also on photographs which were submitted at the hearing. Although securing the Army Corp of Engineer approval for the piers, these property owners did not obtain the requisite zoning approval of an amended development plan for these improvements. As a result of a complaint by an individual in the community, a Zoning Inspector was dispatched to the property and advised the property owners that piers must be removed or a Petition for Special Hearing filed to amend the FDP. Thus, the matter has come before the Zoning Commissioner for consideration.

Testimony and evidence presented at the hearing was that the piers are on Homeowners Association property and are typically used by the individual homeowners which immediately abut the open space on which the piers are built. Moreover, uncontradicted testimony and evidence presented was that the piers do not cause any detrimental impact to any of the landowners within the community nor to individuals who use navigable waters in the area, including Hopkins Creek. The Petitioner submitted a series of signed Petitions from members of the community expressing support for the Petition for Special Hearing.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Special Hearing. In my judgment, the previous construction and ongoing use of the piers is not detrimental to the health, safety or general welfare of the community and causes no impact on the surrounding neighborhood. Although the process which governs an

amendment to the FDP and the construction of the piers in Baltimore County was not followed in this case, a legitimization of these structures is now appropriate. Thus, the Petition will be approved, with restrictions. In this regard, it is to be noted that there were no adverse Zoning Plans Advisory Committee (ZAC) comments submitted. Moreover, as noted above, there were no Protestants present. The Department of Environmental Protection and Resource Management did, however, indicate that further development of the property must be in compliance with the Chesapeake Bay Critical Area regulations and suggested that a note be added to the FDP stating "The private piers on Phase II must be in compliance with the Chesapeake Bay Critical Area Water-Dependent Facilities Plan". Apparently, the Petitioner does not object to the inclusion of this language. Thus, same shall be incorporated into this plan.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of October 1998 that, pursuant to the Petition for Special Hearing, approval to amend the 7th Amended Final Development Plan (FDP) to approve three private piers which abut open space owned by the community association which extends into Hopkins Creek, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall add a note to the 7th Amended FDP stating "The private piers on Phase

ORDER: RE: PETITION FOR FILING
Date 10/30/98
By [Signature]

From 9500

LES: END

10/30/98
J. N. Hood



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

October 30, 1998

Deborah C. Dopkin, Esquire
409 Washington Avenue, Suite 920
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 99-63-SPH
Property: Ebbing Court
Marine Oaks Home Owners Assn., Petitioner

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", with a long horizontal flourish extending to the right.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Pamela Hengemihle, Chairperson
Pier Committee
Marine Oaks Phase II Home Owners Assn.
27 Ebbing Court
Baltimore, Maryland 21221





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Ebbing Court

which is presently zoned D.R. 16 &

D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an amendment to the final development plan (being the seventh amended final development plan) to approve three private piers as shown on the attached plan of Phase II Marine Oaks Village.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Deborah C. Dopkin

(Type or Print Name)

Signature

409 Washington Avenue, Suite 920

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

(410) 494-8080

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Marine Oaks Home Owners Association

By: Pamela Hengemihle

(Type or Print Name)

Signature

CHAIRPERSON, PIER COMMITTEE

(Type or Print Name)

Signature

27 Ebbing Court

Address

410 391 0477

Phone No.

Baltimore, Maryland 21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.T. DATE 8-5-98

ITEM # 63



99-63-SPH

Zoning Administration

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS

PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

August 5, 1998

**ZONING DESCRIPTION
PHASE II - MARINE OAKS VILLAGE**

Beginning on the south side of Ensign Court and the east side of Williams Avenue, running thence on the east side of Williams Avenue, North 29 degrees 55 minutes 00 seconds East 89.00 feet, thence crossing Williams Avenue and running North 60 degrees 05 minutes 00 seconds West 240.00 feet, North 29 degrees 55 minutes 00 seconds East 225.00 feet, North 53 degrees 29 minutes 19 seconds East 90.00 feet, South 60 degrees 05 minutes 00 seconds East 40.00 feet, North 29 degrees 55 minutes 00 seconds East 120.00 feet, North 85 degrees 32 minutes 44 seconds East 14.52 feet and South 27 degrees 18 minutes 53 seconds West 19.97 feet to the bank of Hopkins Creek, thence running more or less along the bank of Hopkins Creek, North 52 degrees 01 minutes 53 seconds East 56.40 feet, South 59 degrees 05 minutes 48 seconds East 58.83 feet, North 70 degrees 10 minutes 47 seconds East 74.00 feet, South 39 degrees 33 minutes 19 seconds East 70.43 feet, South 28 degrees 11 minutes 42 seconds East 34.89 feet, South 45 degrees 13 minutes 17 seconds East 60.11 feet, South 30 degrees 47 minutes 40 seconds East 46.14 feet and South 21 degrees 21 minutes 14 seconds East 22.80 feet, thence leaving Hopkins Creek and running South 53 degrees 41 minutes 00 seconds West 200.00 feet, South 36 degrees 19 minutes 00 seconds East 81.00 feet, South 29 degrees 55 minutes 00 seconds West 301.38 feet and North 60 degrees 05 minutes 00 seconds West 182.00 feet to the point of beginning.

Containing 4.493 Acres of land, more or less.

Being all the land as shown on "Plat 4, Marine Oaks Village" and recorded among the Land Records of Baltimore County in Platbook E.H.K., Jr. No. 39 folio 115.

Note: This description only satisfies the requirements of the Baltimore County Office Of Zoning and is not for conveyance purposes.



8/5/98

ITEM # 63
99-63-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

ITEM # 63

No. 056112

DATE 8-5-98 ACCOUNT R001-6150

040 - SPH

AMOUNT \$ 2.50⁰⁰

RECEIVED FROM: MARINE CARS PHASE II

FOR: SPH, EBBING COURT

Reg. T.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

8/5/1998 8/05/1998 10:16:09

REG 4506 CASHIER NIEL NWM DRAWER 5

MISCELLANEOUS CASH RECEIPT

Receipt # 030450

OR NO. 056112

254.00 CASH

Baltimore County, Maryland

99-63.SPH

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Sept. 3, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 3, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #99-63-SPH
E/S William Avenue and S/S
Ensign Court (Ebbing Court -
Marine Oaks Village)
15th Election District

5th Councilmanic District

Legal Owner(s):

Marine Oaks, Phase II, Home
Owners Association

Special Hearing: to approve
an amendment to the final de-
velopment plan to approve
three private piers as shown
on the plan of Phase II, Marine
Oaks Village

Hearing: Thursday, Septem-
ber 24, 1998 at 2:00 p.m., in
Room 106, County Office
Bldg., 111 West Chesapeake
Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call (410) 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

9/050 Sept. 3

C255854

CERTIFICATE OF POSTING

RE: Case No.

99-63
99-63-SPH

Petitioner/Developer: MARINE OAKS VILL., ETAL

% DEBORAH DOPKIN, ESQ

494-8080

Date of Hearing/Closing. 9/28/98

F 498-8082

@ 2 PM
RM-407
CCB

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at Z ONSITE LOCATIONS
@ END OF EBBING COURT

The sign(s) were posted on

9/11/98

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/15/98

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

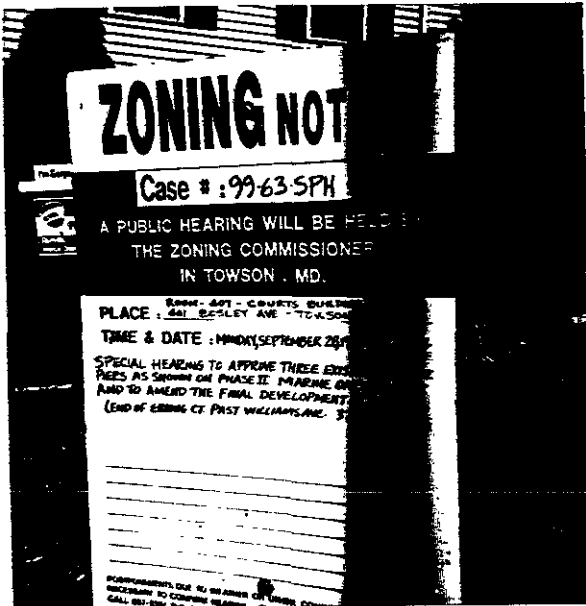
(Address)

HUNT VALLEY, MD. 21030

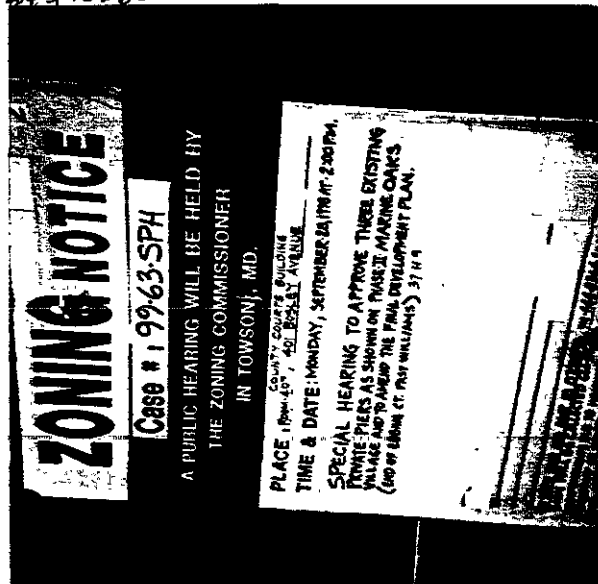
(City, State, Zip Code)

410-666-5366 : CELL 410-905-8571

99-63-SPH



99-63-SPH
P-9/11/98
END EBBING CT - Z LOC
9/28/98



99-63-SPH
D. DOPKIN - 494-8080 END EBBING CT.
9/11/98
9/28/98



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 63

Petitioner: MARINE OAKS HOME OWNERS ASSOCIATION

Location: NORTH EAST END OF EBBING COURT

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PAMELA HENGEMHLE - CHAIRPERSON PIER COMMITTEE

ADDRESS: 27 EBBING COURT

BALTIMORE, MARYLAND 21221

PHONE NUMBER: 410-391-0477

AJ:ggs

(Revised 09/24/96)

99-63SPH

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM # 63

ZONING NOTICE

Case No.: 99-63 SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE THREE ~~EXISTING~~ PRIVATE
PIERS AS SHOWN ON PHASE II MARINE OAKS
VILLAGE AND TO AMEND THE FINAL DEVELOPMENT
PLAN,

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
September 3, 1998 Issue - Jeffersonian

Please forward billing to:

Pamela Hengemihle
Chairperson, Pier Committee
27 Ebbing Court
Baltimore, MD 21221

410-391-0477

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-63-SPH

E/S William Avenue and S/S Ensign Court (Ebbing Court - Marine Oaks Village)

15th Election District - 5th Councilmanic District

Legal Owner: Marine Oaks, Phase II, Home Owners Association

Special Hearing to approve an amendment to the final development plan to approve three private piers as shown on the plan of Phase II, Marine Oaks Village.

HEARING: Thursday, September 24, 1998 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410- 887-3391.

TO: PATUXENT PUBLISHING COMPANY
September 3, 1998 Issue - Jeffersonian

Please forward billing to:

Pamela Hengemihle
Chairperson, Pier Committee
27 Ebbing Court
Baltimore, MD 21221

410-391-0477

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, as authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-63-SPH

E/S William Avenue and S/S Ensign Court (Ebbing Court - Marine Oaks Village)

15th Election District - 5th Councilman District

Legal Owner: Marine Oaks, Phase II Home Owner Association

Special Hearing to approve an amendment to the final development plan to approve three private piers as shown on the plan of Phase II, Marine Oaks Village.

HEARING: Tuesday, September 22, 1998 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

DC

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 14, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-63-SPH
E/S William Avenue and S/S Ensign Court (Ebbing Court - Marine Oaks Village)
15th Election District - 5th Councilmanic District
Legal Owner: Marine Oaks, Phase II, Home Owners Association

Special Hearing to approve an amendment to the final development plan to approve three private piers as shown on the plan of Phase II, Marine Oaks Village.

HEARING: Tuesday, September 22, 1998 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon". Below the signature is a small, stylized mark that looks like "20-1".

Arnold Jablon
Director

c: Deborah C. Dopkin, Esquire
Marine Oaks, Phase II, Home Owners Association

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 7, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 25, 1998

Deborah C. Dopkin, Esquire
920 Mercantile - Towson Building
409 Washington Avenue
Towson, MD 21204

Dear Mrs. Dopkin:

RE: Case Number 99-63-SPH, Marine Oaks, Phase II Home Owners Association

The above matter, previously assigned to be heard on Tuesday, September 22, 1998 has been postponed at your request. This case has been **rescheduled for Thursday, September 24, 1998 in Room 106, County Office Building, 111 West Chesapeake Avenue.**

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

The new hearing date and time should be affixed to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:scj

c: Marine Oaks, Phase II Home Owners Association

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 1, 1998

Deborah C. Dopkin, Esquire
920 Mercantile - Towson Building
409 Washington Avenue
Towson, MD 21204

Dear Mrs. Dopkin:

RE: Zoning Case Number 99-63-SPH, Marine Oaks, Phase II Home Owners Assoc.

The above matter, previously assigned to be heard on September 24, 1998 has been **rescheduled for Monday, September 28, 1998 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

The new hearing date and time should be affixed to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

AJ:scj

c: Marine Oaks, Phase II Home Owners Association

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 17, 1998

Deborah C. Dopkin, Esq.
409 Washington Avenue, Suite 920
Towson, MD 21204

RE: Item No.: 63
Case No.: 99-63-SPH
Location: Ebbing Court -
Marine Oaks Village

Dear Mrs. Dopkin:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on August 5, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Date: 9/2/98

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB Seeley*

SUBJECT: Zoning Item #63

Marine Oaks Phase II

Zoning Advisory Committee Meeting of August 17, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
 - X Recommend that the Zoning Commissioner approve the proposed revision to the FDP with the condition that the following note is added:
"The private piers on Phase II must be in compliance with the Baltimore County Chesapeake Bay Critical Area Water-Dependent Facilities Plan."

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: August 21, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office defers to the position taken by DEPRM in this matter.

Item No. 63

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3480.

Section Chief:



AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 21, 1998

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 24, 1998
Item Nos. 057, 059, 060, 062, 063,
064, 065, 066, and 067

Revised plans (with no review) for
Case #99-24-SPHXA
(6350 Frederick Road)

The Development Plans Review Division has reviewed the subject
zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



**Maryland Department of Transportation
State Highway Administration**

Paris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 8-14-91
Item No. 063 RT

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: August 12, 1998

TO: File

FROM: W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review, PDM

WCR

SUBJECT: Marine Oaks Village
Case #99-63-SPH

Notwithstanding the requested development plan amendment, any future zoning approvals are contingent upon a new, legible development plan being submitted and finally approved.

WCR:scj

c: Deborah C. Dopkin, Esquire

99-63-SPH

RE: PETITION FOR SPECIAL HEARING
Ebbing Court - Marine Oaks Village, E/S William
Ave and S/S Ensign Ct, 15th Election District, 5th
Councilmanic

Legal Owners: Marine Oaks, Phase II, Homeowners
Assn.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-63-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of August, 1998, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., 502 Washington Avenue, Suite 220, Towson, MD 21204, attorney for Petitioner(s).


Peter Max Zimmerman


PETER MAX ZIMMERMAN

Marine Oaks Phase II
Home Owners Association
Connie Langville, President
23 Ebbing Court
Baltimore, Maryland 21221

Resolved, this eight day of June, 1998, that:

1. Bruce Doak and Gerhold, Cross and Etzel be and are hereby authorized to represent the HOA; and
2. Pam Hengemihle be and is hereby authorized as the Zoning Committee for the HOA and as such, may testify on behalf of the HOA before the Zoning Committee and other officials of Baltimore County, Maryland; and
3. Deborah C. Dopkin is hereby authorized to act as the attorney for the HOA before the Zoning Committee and other officials of Baltimore County, Maryland for the purpose of obtaining necessary and required approvals to legitimize the existing 3 piers of HOA property.


President
6/9/98


Secretary
9-22-98

FROM :

PHONE NO. : +

Jun. 09 1998 07:32PM P01

Marine Oaks Phase II
Home Owners Association
Connie Langville, President
27 Ebbing Court
Baltimore, Maryland 21221

June 8, 1998

Delivered Via Fax

Mr. Bruce Doak
Gerhold, Cross & Etzel
320 Towsontown Blvd.
Towson, MD 21286

Dear Bruce,

Thank you for taking the time to meet with Pam Hengemihle, Chairperson for the Marine Oaks II, Pier Committee.


Per your discussion, this letter is to advise you that the Board of Directors of Marine Oaks Phase II, will approve and pay Gerhold, Cross & Etzel for the time and materials outlined on the estimate provided on June 8, 1998. Please submit all invoices to the Chairperson for approval and processing at the following address:

Pam Hengemihle
27 Ebbing Court
Baltimore, Maryland 21221
(410) 391-0477

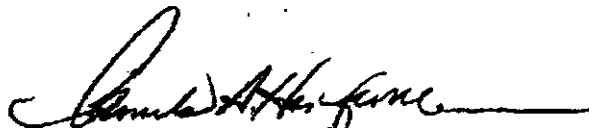
Furthermore, the Board of Directors designates the Chairperson of the Pier Committee, Pam Hengemihle, to sign all documents and petitions necessary to obtain the permits for the piers located behind #27, 35 & 37 Ebbing Court.

Please contact me at (410) 574-1265 if you have any further questions or concerns.

Sincerely,



Connie Langville
President, Marine Oaks II
Homeowners Association



Pamela A. Hengemihle
Chairperson, Marine Oaks II
Pier Committee

CC: N. A. Enterprises, Inc.
P.O. Box 503
Chase, MD 21027

ITEM # 63

99-63-SPH

LAW OFFICES
DEBORAH C. DOPKIN, P.A.

920 MERCANTILE - TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

TELEPHONE: (410) 494-8080
FACSIMILE: (410) 494-8082

DEBORAH C. DOPKIN

August 24, 1998

Arnold Jablon, Esquire
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

**RE: Case Number 99-63-SPH - Marine Oaks, Phase II Home
Owners Association**

Dear Mr. Jablon:

I represent the Petitioner in the above caption zoning matter.

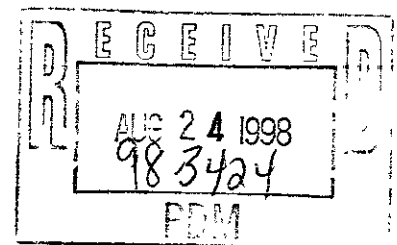
The hearing has been set for Tuesday, September 22, 1998, which is the second day of the Jewish holiday of Rosh Hashanah. I would appreciate your rescheduling the hearing to another date later in September or early October that does not conflict with the Jewish holidays. (As you may be aware Yom Kippur will be celebrated on September 30, so I would also be unavailable on that day.)

Thank you for your consideration in rescheduling this hearing to the next available date.

Very truly yours,


Deborah C. Dopkin

cc: Marine Oaks Phase II Home Owners Association
Gerhold, Cross & Etzel



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case Number 99063-SPH - Marine Oaks, Phase II Home Owners Association

I am a resident of Marine Oaks Phase II and will be unable to attend the zoning hearing on September 28, 1998. Please be aware that I am in support of amending the final development plan and obtaining the necessary permits for the existing piers behind #27, #33 & #37 Ebbing Court.

The issue of obtaining permits has been a long standing issue within the community. I hope you bring this to quick resolution.

Thank you for your consideration in this matter.

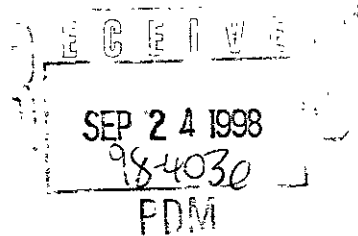
Sincerely,

CONNIE L. LANQUILLE
Name (Print)

Connie L. Lanquille
Signature

21 EBBING COURT
Address

9/17/98
Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Thank you for your consideration in this matter.

Sincerely,

Sherron Wilkins

Name (Print)

Sherron V. Will

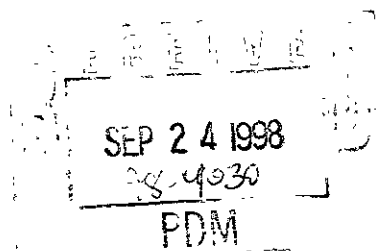
Signature

16 ENSIGN CT

Address

22 SEP 98

Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case Number 99063-SPH - Marine Oaks, Phase II Home Owners Association

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Thank you for your consideration in this matter.

Sincerely,

JEFF MANNING

Name (Print)

J. Manning

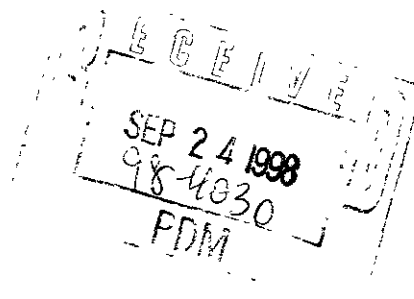
Signature

7 EBBING

Address

9-22-98

Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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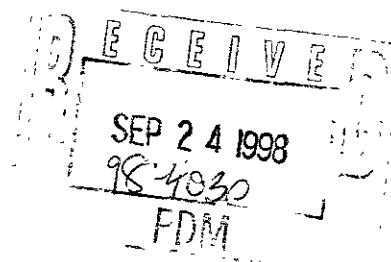
Sincerely,

Willis J. Leary
Name (Print)

Willis J. Leary
Signature

L Ebbing Ct.
Address

9-22-98
Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Sincerely,

Michael Hoffman

Name (Print)

19 EBBING CT.

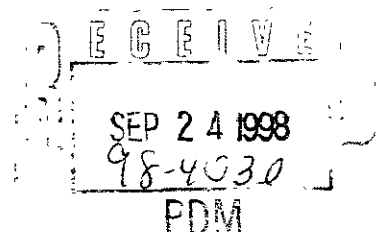
Address

My [Signature]

Signature

9-22-98

Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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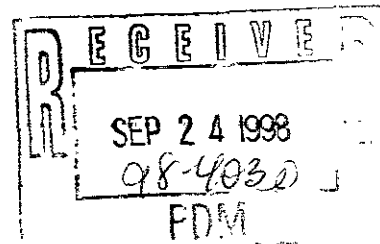
Sincerely,

MILTON BLANCHE
Name (Print)

20 ENSIGN CT
Address

[Signature]
Signature

9 22 98
Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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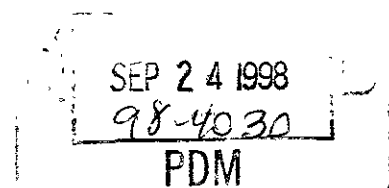
Thank you for your consideration in this matter.

Sincerely,

Dennis Brzezinski
Name (Print)

18 Emsie
Address

Dennis A. Brzezinski
Signature
9/22/98
Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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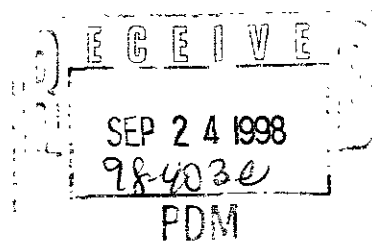
Rudy Greenway
Name (Print)

Rudy Greenway
Signature

8 Ensign CT
Address

9-22-98
Date

21221



9/23/98
J

TO WLR
for file

Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Sincerely,

PAUL MARTELLO

Name (Print)

Paul Martello

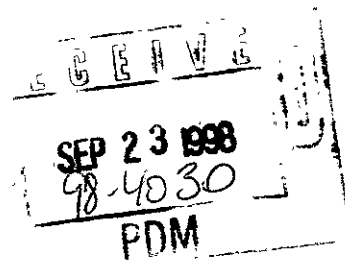
Signature

18 Ebbing Ct.

Address

9-19-98

Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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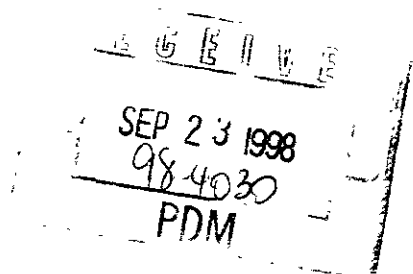
Sincerely,

ANTHONY ARMETTA
Danilly Robert Johnson
Name (Print)

25 EBBING CT.
Address

Anthony P. Armetta
Danilly Robert Johnson
Signature

9/18/98
Date
9-18-98



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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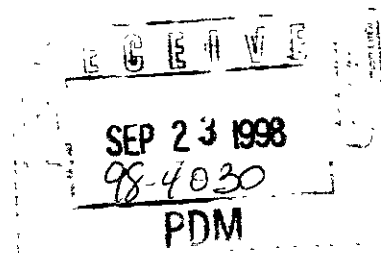
Sincerely,

SHIRLEY HILL
Name (Print)

Shirley Hill
Signature

8 EBBING CT
Address

9/19/98
Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Thank you for your consideration in this matter.

Sincerely,

NORMA C FOSTER
Name (Print)

Norma C. Foster
Signature

33 EBBING CT.
Address

9/17/98
Date

RECEIVED
SEP 23 1998
98-4030
PDM

Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Thank you for your consideration in this matter.

Sincerely,

Rosita DelRosario
Name (Print)

Rosita DelRosario
Signature

26 Ebbing Ct.
Address

9/19/98
Date

RECEIVED

SEP 23 1998

984030

PDM

Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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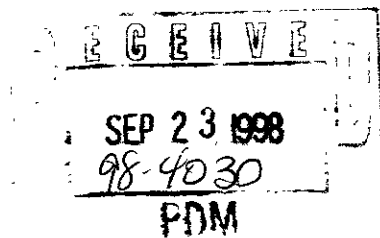
Sincerely,

RITA DIANNE HOLMES
Rita Dianne Holmes
Name (Print)

Rita Dianne Holmes
Signature

23 EBBING CT.
Address

9/19/98
Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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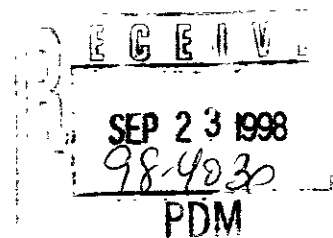
Sincerely,

BARBARA BUKOWSKI
Name (Print)

Barbara Bukowski
Signature

29 Ebbing Ct.
Address

Sept. 18, 1998
Date



Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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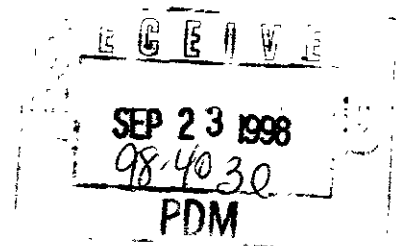
Sincerely,

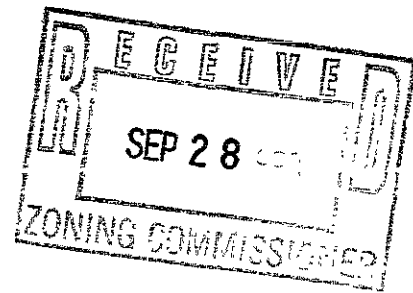
MR. MICHAEL KREPKA
Name (Print)

Mr. Michael Krepka
Signature

24 Ebbing Ct.
Address

Sept. 19, 1998
Date





Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

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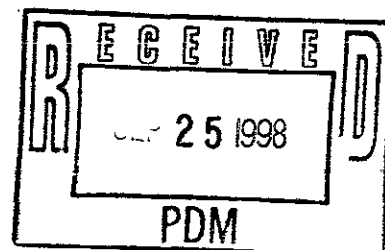
Sincerely,

Paul F. Zeller Jr.
Name (Print)

Paul F. Zeller Jr.
Signature

13 Ebbing Ct.
Address

9-23-98
Date



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

PAM HENGEMITTE

37 Ebbing CT. BALTO. MD

DEBORAH DOPKIN

409 WASHINGTON AVE 21204

BRUCE DOAK

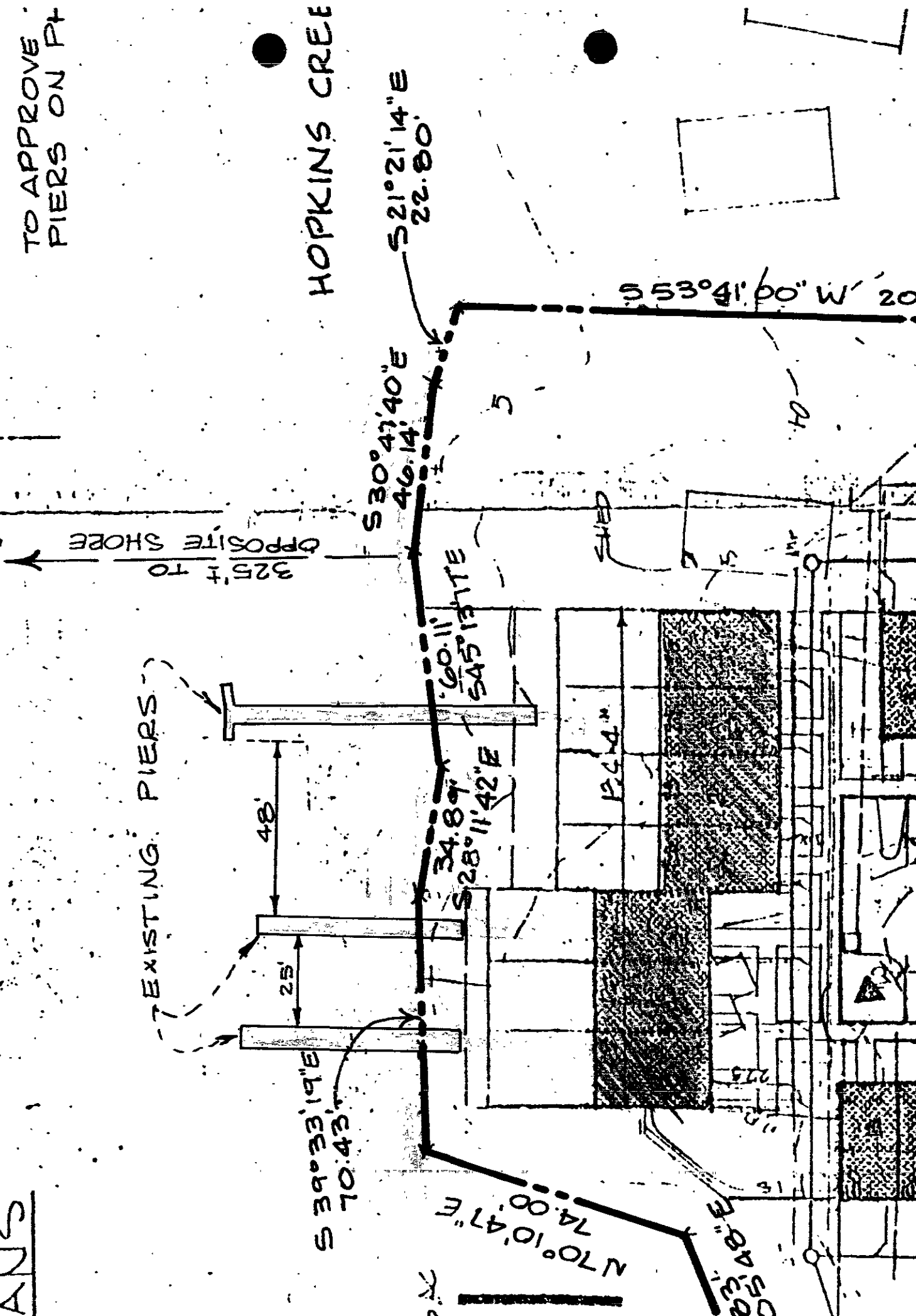
320 E. TOWSONTOWNE BLVD 21286

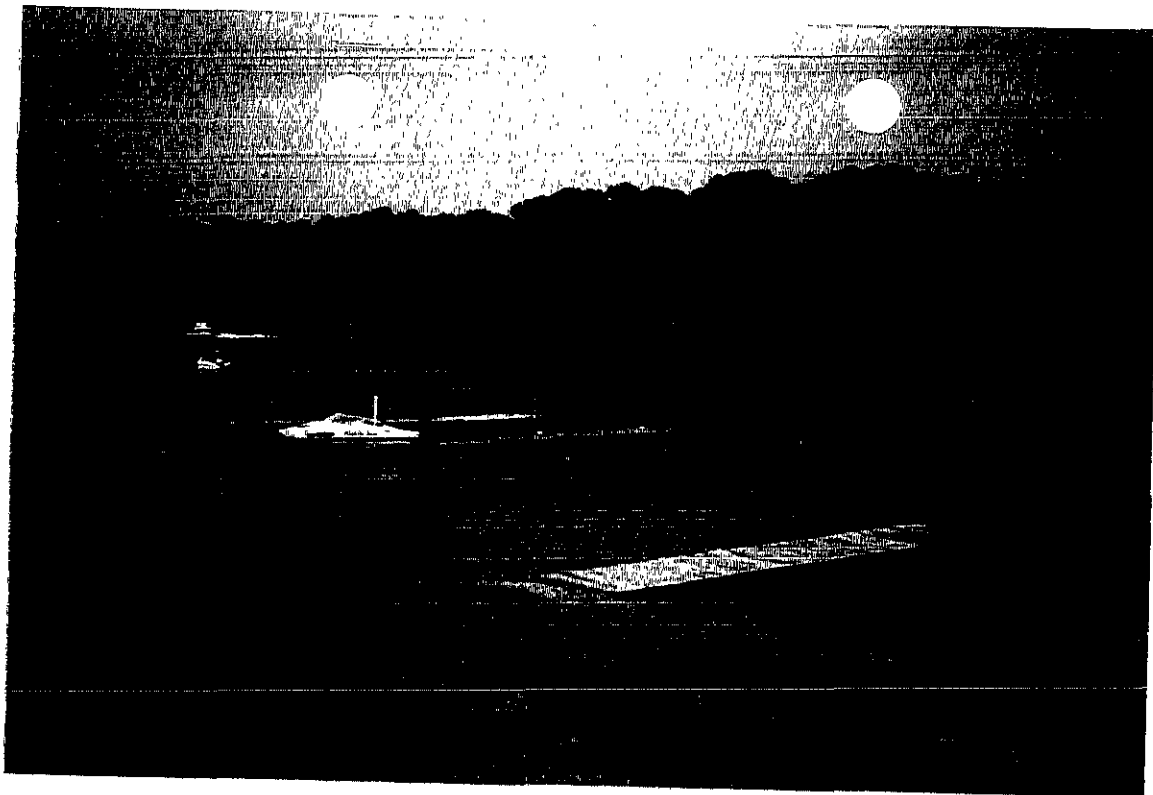
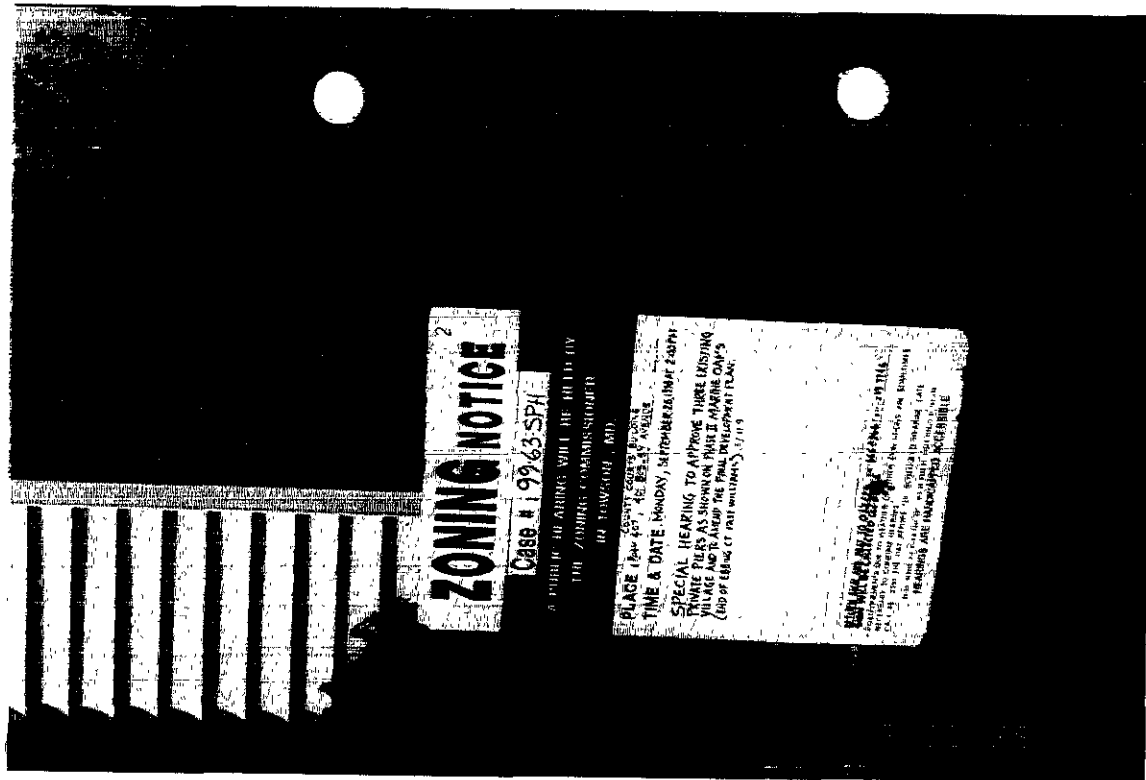


NOTE: BUILDING TYPES A & A1, ARE INTERCHANGEABLE
 BUILDING TYPES B & B1, ARE INTERCHANGEABLE

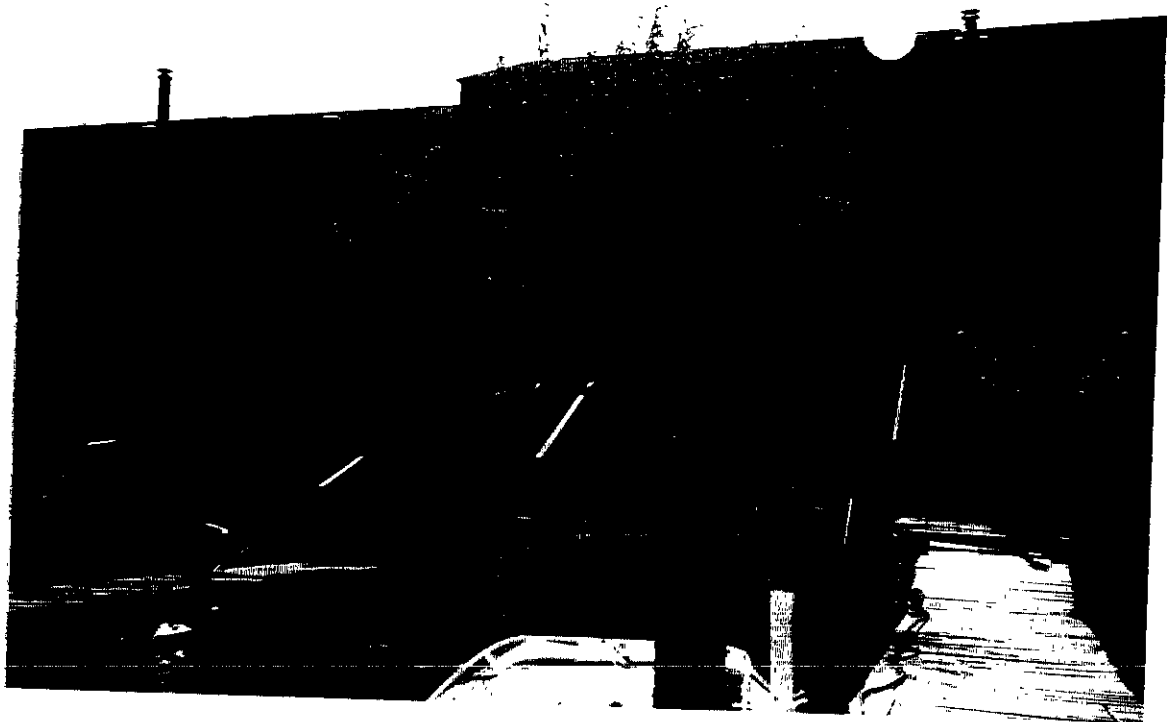
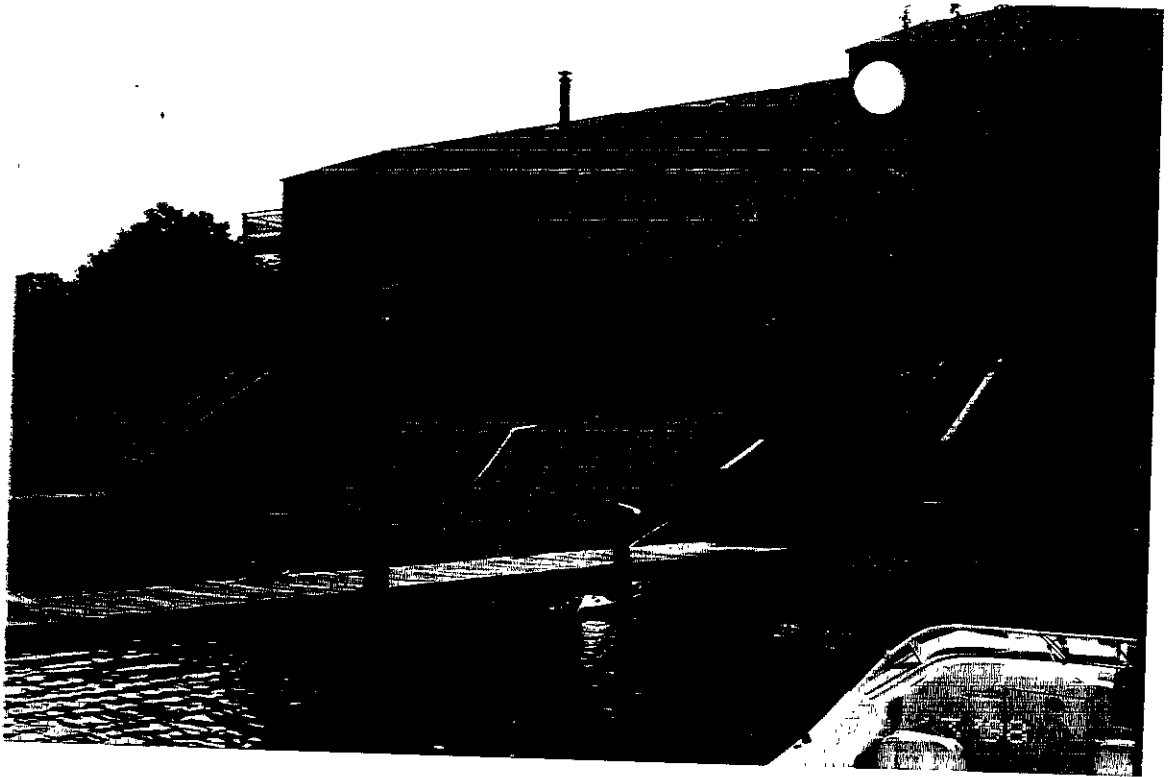
ANS

REASON FOR 7
 TO APPROVE
 PIERS ON PL

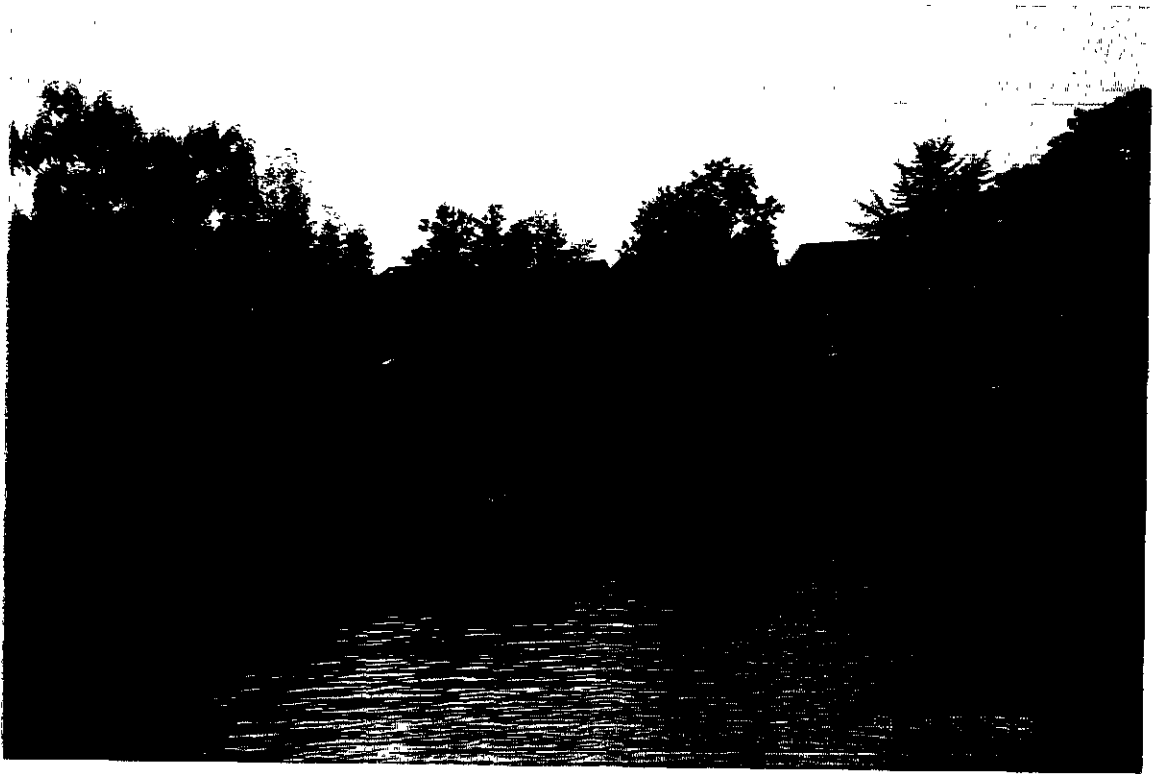






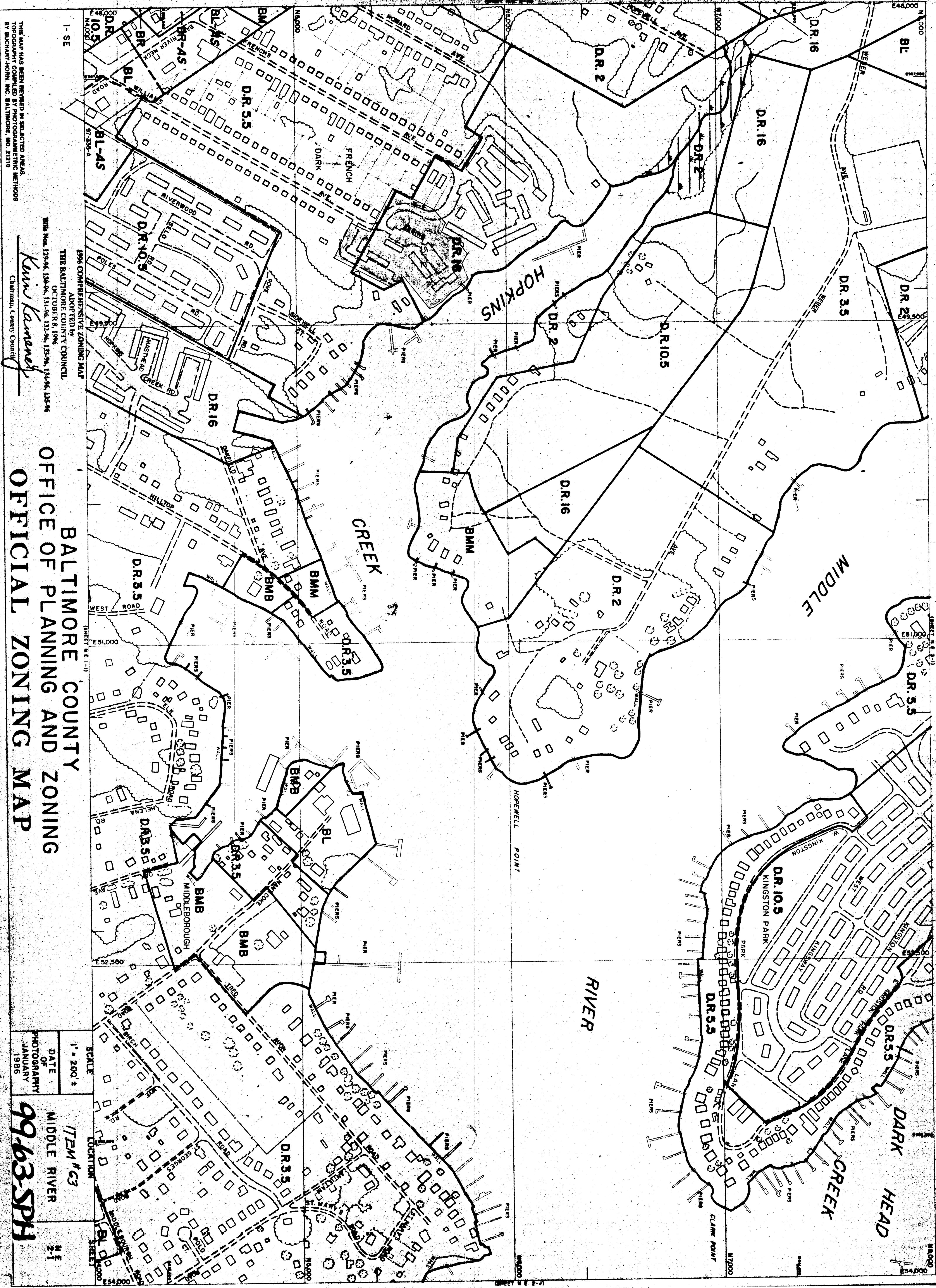








9-13-06



THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TO REFLECT CHANGES IN ZONING DISTRICTS
BY BALTIMORE COUNTY, MD. 21110

1-SE
1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
BIM No. 13-96, 13-96, 13-96, 13-96, 13-96, 13-96

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY
JANUARY 1986
ITEM # C3
MIDDLE RIVER
99-63-SPH